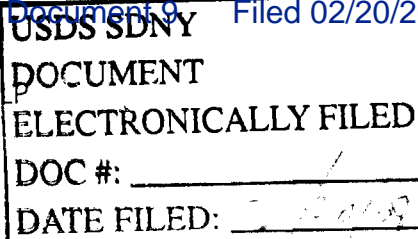


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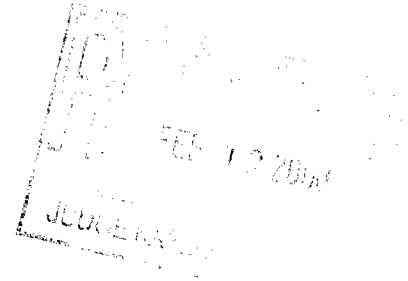


Y. David Scharf
Partner
(212) 735-8604
dscharf@morrisoncohen.com

February 15, 2008

MEMO ENDORSED**VIA HAND DELIVERY**

The Honorable Lewis A. Kaplan
United States District Court
Southern District of New York
500 Pearl Street, Room 1310
New York, New York 10007



Re: H. Thomas O'Hara Architect, PLLC, et al v. Extell West 4th Street LLC, et al., 07 CV 11224

Dear Judge Kaplan:

We represent the Defendants in the above-captioned action, and I am the principal attorney responsible for this matter on Defendants' behalf. I write to you on behalf of counsel for both Plaintiffs and Defendants to seek an adjournment of the initial pretrial conference currently scheduled for February 28, 2008.

As Your Honor is aware, Your Honor's rules require that the attorney who will serve as principal trial counsel for the case must attend the initial pretrial conference. Plaintiffs' principal attorney, Mr. Pfeffer, has notified us that he has a conflict with the current February 28 date, as he will be traveling outside New York that entire week. We accordingly jointly seek an adjournment.

We have conferred in an effort to identify alternate dates upon which both of us would be able to attend the conference in compliance with Your Honor's rules. Unfortunately, the first date upon which both of us would be available for the adjourned conference is Monday, March 24, 2008. Between now and March 24, each of us has a number of previously scheduled commitments, including court appearances in several other cases, non-concurrent trials spanning the period from approximately March 3 through March 21, and days when we are each unavailable due to travel.

If the March 24, 2008 date is acceptable to the Court, then we respectfully request that Your Honor approve and so-order the enclosed stipulation, which adjourns the conference from February 28, 2008 to March 24, 2008.

MorrisonCohen_{LLP}

The Honorable Lewis A. Kaplan
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In the alternative, should the Court prefer to waive its rule regarding the attendance of the principal trial attorney at the conference in order to obtain an earlier conference date, counsel will abide by the Court's preference and designate appropriate alternate representatives to attend the conference on our behalf to the extent we are not personally available for the conference.

Respectfully submitted,



Y. David Scharf (YDS-0910)

cc: David J. Pfeffer (Attorney for Plaintiffs)

encl.

MEMO ENDORSED

*The conference
will recess 2/28.*

SO ORDERED


LEWIS A. KAPLAN, USDJ

2/19/08